

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/22/2014

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
In re:

LEHMAN BROTHERS SECURITIES AND
ERISA LITIGATION

09 MD 2017 (LAK)

This document applies to:

Philip Walker, et ano. v. Ernst & Young LLP, 11 Civ. 3552 (LAK)
----- x

PRETRIAL ORDER NO. 83
(*Walker* - Pretrial Order and Possible Remand)

LEWIS A. KAPLAN, *District Judge*.

In PTO No. 82, the Court directed, among other things, that plaintiffs supply defendants' counsel with a proposed form of Joint Pretrial Order by May 22 and that the parties thereupon complete the Joint Pretrial Order by June 22.

The Court now is in receipt from plaintiffs of their proposal, which does not remotely comply with the Court's requirements in that, among other things, it fails to identify plaintiffs' proposed exhibits or witnesses. In addition, it appears to proceed from the premise that plaintiffs now will begin to prepare their case, whereas the time for doing so has largely elapsed over the past three years.

Plaintiffs shall confer with defendants' counsel promptly with a view to the parties jointly submitting a proper Joint Pretrial Order by June 22. In addition, the parties are directed to discuss settlement and report back to the Court by that date in the event they have failed to resolve the matter.

SO ORDERED.

Dated: May 22, 2014



Lewis A. Kaplan
United States District Judge